

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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EMMANUEL CHEATHAM.

Case No. 2:14-cv-01166-APG-PAL

Plaintiff,

ORDER DENYING MOTION TO DISMISS

V

GILLESPIE, *et al.*

(ECF No. 18)

Defendants.

Plaintiff Emmanuel Cheatham moves to dismiss criminal charges against him. ECF No. 18. This is a civil action, not a criminal case. I lack jurisdiction to dismiss charges pending against Cheatham in state court criminal proceedings. Moreover, the motion to dismiss criminal charges is unrelated to the claims in this civil action, which involve allegations that prison officials sexually assaulted the plaintiff. *See* ECF No. 8.

IT IS THEREFORE ORDERED that plaintiff Emmanuel Cheatham's motion to dismiss
(ECF No. 18) is DENIED.

DATED this 3rd day of June, 2016.


ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE